

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

DWIGHT B. COLE

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) CRIMINAL ACTION No. 04-10294-GAO
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) VIOLATIONS
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)

) Cts. 1 -3: 18 U.S.C. § 1709
)

) (Theft of Mail Matter)

INDICTMENT

**COUNT ONE
(18 U.S.C. Section 1709)
(Theft of Mail Matter)**

The Grand Jury charges:

Between on or about August 30, 2002, and on or about September 4, 2002, the exact date being unknown, in the District of Massachusetts,

DWIGHT B. COLE,

the defendant herein, being a Postal Service employee, did embezzle letters and mail, and articles and things contained therein, that is, a United States Treasury check made payable to Raymond O'Neill and L. Dirosario O'Neill in the amount of \$8, 118.00, which was entrusted to him and which came into his possession intended to be conveyed by mail and carried and delivered by other persons employed by the Postal Service.

All in violation of Title 18, United States Code, Section 1709.

COUNT TWO
(18 U.S.C. Section 1709)
(Theft of Mail Matter)

The Grand Jury charges:

Between on or about September 9, 2002, and on or about September 12, 2002, the exact date being unknown, in the District of Massachusetts,

DWIGHT B. COLE,

the defendant herein, being a Postal Service employee, did embezzle letters and mail, and articles and things contained therein, that is, a United States Treasury check made payable to Darryl Jenkins in the amount of \$12,716.61, which was entrusted to him and which came into his possession intended to be conveyed by mail and carried and delivered by other persons employed by the Postal Service.

All in violation of Title 18, United States Code, Section 1709.

**COUNT THREE
(18 U.S.C. Section 1709)
(Theft of Mail Matter)**

The Grand Jury charges:

Between on or about October 18, 2002, and on or about October 23, 2002, the exact date being unknown, in the District of Massachusetts,

DWIGHT B. COLE,

the defendant herein, being a Postal Service employee, did embezzle letters and mail, and articles and things contained therein, that is, a United States Treasury check made payable to George D. and Karen S. Levy in the amount of \$34,388.00, which was entrusted to him and which came into his possession intended to be conveyed by mail and carried and delivered by other persons employed by the Postal Service.

All in violation of Title 18, United States Code, Section 1709.

NOTICE OF ADDITIONAL FACTORS

1. The loss or attempted loss related to Count One pursuant to U.S.S.G. § 2B1.1(b)(1) is \$8,118.
2. The loss or attempted loss related to Count Two pursuant to U.S.S.G. § 2B1.1(b)(1) is \$12,716.61.
3. The loss or attempted loss related to Count Two pursuant to U.S.S.G. § 2B1.1(b)(1) is \$34,388.

A TRUE BILL

Meredith E. Burke
FOREPERSON OF THE GRAND JURY

Sandra S. Bower
SANDRA S. BOWER
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS

September 22, 2004

Returned into the District Court by the Grand Jurors and filed.

Thomas F. Quinn
DEPUTY CLERK

9/22/04 2:15 pm

Criminal Case Cover SheetU.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. II _____ Investigating Agency USPIS _____

City Boston _____

County Suffolk _____

Related Case Information:

Superseding Ind./ Inf. _____ Case No. _____
 Same Defendant _____ New Defendant _____
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:

Defendant Name Dwight B. Cole _____

Juvenile Yes No

Alias Name _____

Address 69 Charles Street, Apt. 5, Dorchester, MA 02122-1423

Birth date (Year only): 1958 SSN (last 4 #): 6488 Sex M Race: _____ Nationality: US

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Sandra S. Bower Bar Number if applicable 0787700 (Florida)

Interpreter: Yes No List language and/or dialect: _____

Matter to be SEALED: Yes No

Warrant Requested Regular Process In Custody

Location Status:

Arrest Date: _____

Already in Federal Custody as _____ in _____

Already in State Custody _____ Serving Sentence Awaiting Trial

On Pretrial Release: Ordered by _____ on _____

Charging Document: Complaint Information Indictment

Total # of Counts: Petty _____ Misdemeanor _____ Felony 3 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 9-22-04 Signature of AUSA: Sandra S. Bower

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Dwight B. Cole _____

U.S.C. Citations

Index Key/Code

Description of Offense Charged

Count Numbers

Set 1	<u>18 USC 1709</u>	<u>Theft of Mail Matter</u>	<u>1-3</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____
ADDITIONAL INFORMATION: _____			

